

THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND  
LIABILITY ACT (CERCLA)

14-13-B.      Concurrence in Settlement of Civil Judicial Actions

1. AUTHORITY. To exercise the Agency's concurrence in the settlement of civil judicial enforcement actions under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, and to request the Attorney General to amend a consent decree issued under CERCLA.

2. TO WHOM DELEGATED. Regional Administrators.

3. LIMITATIONS.

a. Regional Administrators may exercise the Agency's concurrence authority in settlement of Regionally-initiated CERCLA action consistent with OSWER Directive 9012.10-a and 9012.10-b dated June 17, 1988 and August 18, 1988 respectively. Subsequent memorandum issued by the Assistant Administrator for Enforcement and Compliance Assurance will further identify settlements to be delegated to the Regional Administrators.

b. For all cases initiated by the Regional Administrator other than those identified in paragraph 3.a of this delegation (in which the Regional Administrator concurs for the Agency), and those limitations identified in subsequent memorandum, the Regional Administrator or delegatee must obtain the concurrence of the Assistant Administrator for Enforcement and Compliance Assurance or his/her designee before exercising this authority. The Assistant Administrator for Enforcement and Compliance Assurance or his/her designee may waive the concurrence requirement by future memorandum.

3. REDELEGATION AUTHORITY. The authority to request the Attorney General to amend a consent decree issued under CERCLA may be redelegated to the Division Directors level. The other authorities cited in paragraph 1 above may be redelegated.

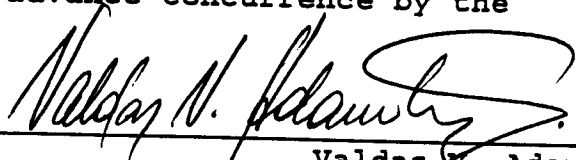
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Actions (Cont'd)

4. ADDITIONAL REFERENCES.

- a. Sections 104, 106, 107, 109 and 122 of CERCLA.
- b. All applicable Agency guidance and directives.
- c. For actions including 31 U.S.C. 3711 and its applicable regulations, see delegations covering claims of EPA found in Chapter 1 of this Manual.
- d. Settlements under CERCLA Section 122(g) are covered by delegation 14-14-E, "De Minimis Settlements."

I, Valdas Adamkus, Regional Administrator, Region 5, having been duly delegated the authorities set forth under this delegation, redelegate these same authorities and responsibilities, subject to the conditions and limitations set forth in the above delegation, to the Director, Superfund Division, Region 5. Exercise of this authority is subject to advance concurrence by the Regional Counsel or designee.



Valdas W. Adamkus

5/2/96  
Date